G. R. S. IX-5]

Preserve

Previous references.

Courts 321-16(1-2)

1917-18
(Courts)

File No. 136-17

Serial Nos. 1 & 2

Later references.

Cs 121-18(1-2)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 & 2

Part B for January 1918.

SUBJECT.

Travelling allowance to Mysore Officials attending Madras Criminal Courts.

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2) To the Head of Depts
" D.C. of Districts
" Registrar Chief Court

No J 2571-2620 dy 12-1-1918

Issuing revised rules re-Payment of T.A. to witnesses attending Criminal Courts in the Madras Presidency —

W D 88—GPB—50,000—24-7-16

Mr Abdur Rahman
4.3.1918 Mhn

G. R. S. III—1] 1917-18

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 136-17

FILE HEADING.

Travelling allowance to Mysore officials attending Madras Criminal Courts.

From

The First Assistant to the Hon'ble the Resident in Mysore.

No. 9490. Dated 15·12·1917. Received 17·12·1917

Diary No. 9136	Enclos. one Spare Copies.	Serial No. 1.

BRIEF ABSTRACT OF LETTER.

Forwards, for information, a copy of the Proceedings of the Madras Govt. No. 2281, Home Department (Judicial), dated 6th November 1917, on the above Subject.

NOTES AND ORDERS.

Submd

If approved, the amendments to the rules will be communicated to all concerned by means of a Govt Order, as was done on previous occasions.

Yr.

27/12/1917

Cts 32-16 Jan-up

NOTES—First Sheet.

WD 1232—GPB—20,000—18-11-1c

ND 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat. | cls File No. 136 of 1917.

Serial No.	
	Draft G.O. Subd
	ASR 10/1 MK In favour of approval
	& 10/1.
	Dist Memby MK 10.1
2472 10/1/18	
B	
2/3	Done 29 10/1
2	To The Heads of Depts
	The Secs to Govt
	The Registrar of the Court
	No D 2571-2620 12th Jan 1918
	Issuing revised rules re payment of D.A. to witnesses attending criminal courts in the Madras Presidency

NOTE—Contn. sheet.

GEN. & REV. SECRETARIAT
III
15 DEC 1917

MYSORE RESIDENT'S OFFICE,

Bangalore, 15 December 1917.

J 1367.

17-12-1918.

No. 4904

Courts

A copy of the marginally* noted ~~letter, with enclosure~~ proceedings, is forwarded 136-17

Oct-8-16
17-12-17

*No. 2281 dated 15th November 1917 of from the Government of Home (Judicial) Department

to the Chief Secretary to the Government of H. H. the Maharaja of Mysore, for information in continuation of endorsement from the office No. 2907, dated 14th April 1917. ts 321-16.

GEN. & REV. SECRETARIAT
III
JUDICIAL
17 DEC 1917

for *First Assistant Resident.*

R. O. 178—R. P. B.—10-1917.—500.

G.R.S. VI-71]

SUBJECT: Amendments to the Madras Salt Rule re payt of travelling allowance to complainants witnesses attending criminal Courts in the Madras Presidency

Diary No. of letter replied to J. 1367

Section Courts
File No. 136-17
Serial No. 2

General and Revenue Secretariat
(Courts)
, *the* *191*

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 12/1/18

Signed by Mr. V. E. Jagaraman
Asst

Read.—
G.O. no. J. 4352-4401 dy 23-5-17
cts 321-16-2
communicating to Heads of Depts. dy com^r and the Registrar, Chief Court, the revised rules issued by the Madras Govt regarding the payment of travelling allowances to complainants and witnesses attending criminal Courts in the Madras Presidency.

Order Thereon: No.
2. Endorsement no. 9450 dy 15-12-17 from the 7-A Resident in Mysore, forwarding the Proceedings of the Madras Govt no. 2281 Home

over.

May this be

i printed?

ii treated as a standing order?

iii published in the Gazette English part?

iv translated?

v placed at the disposal of the Press?

vi published in the Gazette Kannada part?

C.O. 111

(Judicial) Dy 6.11.1917 making certain amendments to the rules referred to in the G.O. read above.

Order No. J2571-20

Ordered that the Proc of the Madras Gaz be printed as an annexure to this order and communicated to the Heads of Depts, the Dy Com of Dts and the Registrar of the Chief Court.

10.1

Chief Secretary.

To the Heads of Depts.
" Dy Com of Dts
" Registrar, Chief Court

List of enclosures.

'Annexure'

[Here print the Proc of the Madras Gaz no 2281 Dy 6.11.17 and its Annexure].

Copied by

Examined by

Asst
10/1

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. J. 2571-2620—Cts. 136-17-2, dated 12th January 1918.

Travelling allowance to witnesses attending Criminal Courts in the Madras Presidency.

Issuing Revised Rules *re* payment of ——

W D A1550—GPB—22-2-18-450.

Travelling Allowance to Witnesses attending Criminal Courts in the Madras Presidency.

No. J. 2571-2620—Cts. 136-17-2, dated 12th January 1918.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

GENERAL AND REVENUE DEPARTMENTS.

READ—

Government Order No. J. 4352-4401—Cts. 321-16-2, dated 29th May 1917, communicating to Heads of Departments, Deputy Commissioners and the Registrar, Chief Court, the revised rules issued by the Madras Government regarding the payment of travelling allowance to complainants and witnesses attending Criminal Courts in the Madras Presidency.

2. Endorsement No. 9490, dated 15th December 1917, from the First Assistant to the Hon'ble the Resident in Mysore, forwarding the Proceedings of the Madras Government No. 2281, Home (Judicial), dated 6th November 1917, making certain amendments to the rules referred to in the Government Order read above.

Order No. J. 2571-2620—Cts. 136-17-2, dated 12th January 1918.

Ordered that the Proceedings of the Madras Government be printed as an annexure to this Order and communicated to the Heads of Departments, the Deputy Commissioners of Districts and the Registrar of the Chief Court.

C. S. BALASUNDARAM IYER,
Chief Secretary to Government.

To—The Heads of Departments.
The Deputy Commissioners of Districts.
The Registrar, Chief Court of Mysore.

Exd.—C. R.

No. J. 2571-2620—Cts. 136-17-2, dated 12th January 1918.

ANNEXURE.

GOVERNMENT OF MADRAS

Home Department (Judicial).

Government Order No. 2281, 6th November 1917.

Certificates of attendance.

Issuing certain amendments to the rules for the payment of expenses of complainants and witnesses attending criminal courts by giving — in lieu of travelling and subsistence allowance to Government servants summoned in their official capacity.

Order No. 2281, Home (Judicial), dated 6th November 1917.

Under section 544 of the Code of Criminal Procedure, 1898, the Governor in Council, with the previous sanction of the Government of India, is pleased to make the following amendments to the rules for the payment of the expenses of complainants and witnesses attending criminal courts in this Presidency :—

I

Rules for the payment of the expenses of complainants and witnesses attending criminal courts in the City of Madras.

(i) *Add* the following below Rule 13 (1) :—

Exceptions.—(*a*) In cases in which a public servant has to give evidence at a court situate not more than five miles from his headquarters, the court is authorized, where it considers it necessary, to pay him the actual travelling expenses incurred.

(*b*) In cases in which the salary of the public servant summoned does not exceed Rs. 10 per mensem, the court itself is authorized to pay his expenses.

(ii) *Substitute* the following *for* Rule 13 (2) :—

When a public servant appears in his official capacity as a witness in a case which does not come under Rule 1 (*e.g.*, in a case in which section 244(3) or 257, Code of Criminal Procedure, is applied), the party at whose instance he is summoned shall prepay into court the travelling and halting allowances admissible to him under the Civil Service Regulations. The amount so prepaid shall be credited to Government but the court shall give the witness a certificate containing the particulars specified in rule (1) *supra* so as to enable him to draw the travelling and halting allowances admissible under Article 1133 of the Civil Service Regulations. When a public servant appears to give evidence in any case as a private person, travelling allowance and batta may be paid to him in the ordinary manner, but the court shall send an advice of all such payments made to him to the head of the office in which he is employed. In this advice the amount paid as batta and the period during which the attendance of the witness in court was necessary shall be stated.

II

Rules for the payment of expenses of complainants and witnesses attending criminal courts in the Madras Presidency outside the Presidency town.

(i) *Add* the following below Rule 2 (1) :—

Exceptions.—(*a*) In cases in which a public servant has to give evidence at a court situate not more than five miles from his headquarters, the court is authorized, where it considers it necessary, to pay him the actual travelling expenses incurred.

(*b*) In cases in which the salary of the public servant summoned does not exceed Rs. 10 per mensem, the court itself is authorized to pay his expenses.

(ii) *Substitute* the following *for* Rule 2 (2) :—

When a public servant appears in his official capacity as a witness in other cases (*e.g.*, in cases in which section 244 (3) or 257, Code of Criminal Procedure, is applied), the party at whose instance he is summoned shall prepay into court the travelling and halting allowances admissible to him under the Civil Service Regulations. The amount so prepaid shall be credited to Government but the court shall give the witness a certificate containing the particulars specified in Rule (1) *supra* so as to enable him to draw the travelling and halting allowances admissible under Article 1133 of the Civil Service Regulations. When a public servant appears to give evidence in any case as a private person, travelling allowance and batta may

No. J. 2571-2620—Cts. 136-17-2, dated 12th January 1918.

be paid to him in the ordinary manner, but the court shall send an advice of all such payments made to him to the head of the office in which he is employed. In this advice the amount paid as batta and the period during which the attendance of the witness in court was necessary shall be stated.

2. The statutory rules for the payment of expenses of complainants and witnesses attending criminal courts in the Madras Presidency as revised up to date are printed in the annexure to these proceedings and will be published in the *Fort St. George Gazette.*

(True extract.)

R. RAMACHANDRA RAO,
Secretary to Government.

To—The Hon'ble the Chief Justice (with C. L.)
All Sessions Judges.
All District Magistrates.
The Resident in Travancore and Cochin.
The Political Agent, Pudukkottai.
Do Banganapalle.
Do Sandur.
The Accountant-General.
The Chief Commissioner of Coorg, Bangalore (with C. L.)
The Chief Presidency Magistrate.
The Commissioner of Police.
The General Officer Commanding, 9th (Secunderabad) Division.
The Hon'ble the Resident in Mysore (with C. L.)
The Agent to the Governor in Ganjam.
The Agent to the Governor in Vizagapatam.
The Government Agent, Godavari.
The Financial Department.
The Local and Municipal (Legislative) Department.
The Public (Political) Department.
The Superintendent, Government Press, for publication of the annexure to the Government Order in the gazette.

No. J. 2571-2620—Cts. 136-17-2, dated 12th January 1918.

ANNEXURE.

Notifications.

I.

Rules for the payment of the expenses of complainants and witnesses attending criminal courts in the City of Madras.

Under section 544 of the Code of Criminal Procedure, the Governor in Council, with the previous sanction of the Governor-General in Council, is pleased to make the following revised rules for regulating the payment on the part of Government of the expenses of witnesses (including complainants) attending the criminal courts in the City of Madras:—

1. Subject to the provisions hereinafter contained, the expenses of witnesses will be paid on behalf of Government in the following classes of cases, *viz*:—

(*a*) Cases shown in the second schedule of the Code of Criminal Procedure as not bailable.

(*b*) Cases in which the prosecution is instituted or carried on under the orders or with the sanction of the Governor in Council or of any public servants acting as such.

(*c*) Where the witness in question has been compelled to attend by a process issued under section 540 of the Code.

(*d*) Cases in which the court certifies that the attendance of such witness was directly in furtherance of the interests of public justice.

2. (1) For the purposes of these rules, Europeans, Eurasians and Indians shall be divided into three classes, and the Magistrate before whom they are required to appear, or the Commissioner of Police or in the case of witnesses from the mofussil, the Magistrate of the district from which they come shall fix the class with due regard to the station in life of each individual.

(2) For the purposes of this rule, the Magistrate of the district may delegate his powers to any Subordinate Magistrate.

3. The following are the maximum rates which may be awarded to the several classes of witnesses, and no expenses in excess of, or other than, those here provided for shall be allowed:—

Witness	Class	Subsistence allowance	Carriage-hire allowable for days of actual attendance	Travelling expenses, if any, incurred			
				By rail	By a public* motor service	By road otherwise than by public motor service	By sea or canal
Europeans and Eurasians.	1st class.	5 rupees per day.	3 rupees per day.	1st class fare.	1st class fare.	8 annas per mile.	Actual expenses of passage.
	2nd ,,	3 ,, ,,	2 ,, ,,	2nd class fare.	2nd class fare.	6 ,, ,,	
	3rd ,,	1½ ,, ,,	1 rupee ,,	3rd class fare.	3rd class fare.	4 ,, ,,	
Indians	1st ,,	2 ,, ,,	2 rupees ,,	1st class fare.	1st class fare.	6 ,, ,,	
	2nd ,,	1 rupee ,,	1 rupee ,,	2nd class fare.	2nd class fare.	2 ,, ,,	
	3rd ,,	5 annas ,,	Nil	3rd class fare.	3rd class fare.	2 annas per 10 miles.	

* If there are only two classes the first and second class witnesses will be paid the higher class fare and third class witnesses the lower class fare.

4. All disbursements under these rules shall be made by the Commissioner of Police, to whom witnesses coming from the mofussil should report themselves on arrival at Madras.

5. Witnesses resident in the Presidency town will be entitled only to such actual expenses as they may show to the satisfaction of the Commissioner of Police that they have been obliged to incur in obedience to the process or order of the courts.

6. Witnesses sent from the mofussil will be furnished with a certificate by the despatching Magistrate showing the class to which they belong, the date of their departure, and the correct distances (if any) to be travelled by road; and unless such certificate is produced before the Commissioner of Police, that officer may disallow all or any of the expenses claimed.

7. Mofussil Magistrates may make reasonable advances to witnesses summoned by the High Court or Presidency Magistrates and requiring such advances to enable them to reach Madras, but shall in every such case note the same on the certificate referred to in Rule 6. The Commissioner of Police should also be advised of such advances, and he will refund the amount to the officer making the advance.

8. Whenever it is practicable for witnesses to travel by rail or steamer, they shall be allowed no more than the rates prescribed for those modes of conveyance.

9. Subsistence allowance may be paid for the days occupied in travelling to Madras as well as in the return journey. The subsistence allowance at Madras will cease as soon after the conclusion of the inquiry or trial as the means of quitting the town become available.

10. The expenses of witnesses will be paid on production of a certificate signed by the presiding Magistrate or in the case of the High Court by the Clerk of the Crown setting forth the inquiry or trial in which their attendance was required and the days on which they attended.

11. It shall be competent to the court before which a witness appears to disallow payment of any expenses on behalf of Government if for any cause such court thinks fit to do so.

12. The Commissioner of Police will disallow the whole or part of the expenses of any witness for the defence whose evidence may not seem to him to have been material, unless he is satisfied that such witness has been brought down to Madras against his will and that no compensation for his expenses has been paid or deposited by the defendant. This power does not extend to the case of a witness who has been examined and certified by the Court or Magistrate to have been material.

13. In applying the foregoing rules to public servants to whom the Civil Service Regulations are applicable the following additional rules shall be observed:—

(1) When a public servant appears in any case under Rule 1 to give evidence in his official capacity that is, evidence of facts within his knowledge as an official, no payment shall be made to him, but the court will give him a certificate setting forth that he appeared to give evidence of what had come to his knowledge, or of matters with which he had to deal, in his official capacity, the dates on which he appeared and the period for which he was detained, so as to enable him to draw travelling allowance and batta under Article 1133 of the Civil Service Regulations.

Exceptions.—(*a*) In cases in which a public servant has to give evidence at a court situate not more than five miles from his headquarters, the court is authorized, where it considers it necessary, to pay him the actual travelling expenses incurred.

(*b*) In cases in which the salary of the public servant summoned does not exceed Rs. 10 per mensem, the court itself is authorized to pay his expenses.

(2) When a public servant appears in his official capacity as a witness in a case which does not come under Rule (1), *e.g.*, in a case in which section 244 (3) or 257, Code of Criminal Procedure, is applied, the party at whose instance he is summoned shall prepay into court the travelling and halting allowances admissible to him under the Civil Service Regulations. The amount so prepaid shall be credited to Government, but the court shall give the witness a certificate containing the particulars specified in Rule (1) *supra* so as to enable him to draw the travelling and halting allowances admissible under Article 1133 of the Civil Service Regulations. When a public servant appears to give evidence in any case as a private person, travelling allowance and batta may be paid to him in the ordinary manner, but the court shall send an advice of all such payments made to him to the head of the office in which he is employed. In this advice the amount paid as batta and the period during which the attendance of the witness in court was necessary shall be stated.

(3) When an official of the Court of Wards appears in his official capacity as a witness in a case connected with an estate under the superintendence of the Court of Wards, the Judge or Magistrate before whom the trial takes place will furnish such official with a certificate showing the days on which he attended to give evidence and the amount of batta and travelling allowance paid to him on that account.

(4) When a public servant whose emoluments are governed by the Army Regulations, India, appears in any case under Rule 1 to give evidence in his official capacity, he shall be paid the travelling allowance and batta admissible under these rules, and shall be furnished with a certificate showing in detail the amount paid. If the amount paid is less than the amount admissible to him under the military rules to which he is subject, the difference will be paid to him by the military authorities on production of the certificate.

14. Medical subordinates in Local Fund or Municipal employ (including Government servants lent to, and paid by, local bodies) when attending court to give evidence in their public capacity shall be paid the same rates of travelling allowance and batta as would be admissible to Government servants of similar grades under the Civil Service Regulations.

15. Subjects of the French Government who are in the official employ of that Government in the French Dependencies in India appearing as witnesses before criminal courts in Madras City may, if such claim be made, be paid their expenses at the rates to which they are entitled under the Regulations of their own Government in like case. Magistrates are required to refer any claim under this rule for scrutiny to the Collector of South Arcot, who is the Special Political Agent for the French Dependencies in India.

16. Officials of the Government of Ceylon appearing as witnesses before courts in Madras City may, if such claim be made, be paid their expenses at the rates to which they are entitled under the Regulations of their own Government in like case. The claim should be submitted through the head of the department to which the official belongs.

17. Officials of the Mysore Durbar appearing as witnesses in their official capacity before courts in Madras City may, if such claim be made, be paid their expenses at the rates at which they would be entitled under the Regulations of their own Government. This arrangement may be extended by the Government to other Native States which have agreed to pay the expenses of British official witnesses from the Madras Presidency appearing in their courts on the same scale as that admissible to them under the Regulations of the Madras Government.

II

Rules for the payment of the expenses of complainants and witnesses attending Criminal Courts in the Madras Presidency outside the Presidency town.

Under section 544 of the Code of Criminal Procedure, the Governor in Council, with the previous sanction of the Governor-General in Council, is pleased to make the following revised rules for regulating the payment, on the part of Government, of the expenses of witnesses (including complainants) attending criminal courts in the Madras Presidency other than those of the City of Madras:—

1. The criminal courts are authorised to pay, at the rates specified in Rule 4, the expenses of complainants and witnesses in cases in which the prosecution is instituted or carried on by, or under the orders, or with the sanction of the Government, or of any Judge, Magistrate, or other public officer, or when it shall appear to the Judge or Magistrate presiding over such Court to be directly in furtherance of the interest of public justice; also in cases entered in column 5 of Schedule II appended to the Code of Criminal Procedure as not bailable; and in all cases in which the witnesses are compelled to attend by a Magistrate under the provisions of Chapter XLVI of the code.

2. (1) For the purpose of these rules witnesses are divided into two classes, namely, of officials and non-officials. Official witnesses, that is to say, public servants to whom the Civil Service Regulations are applicable summoned to give evidence as officials, are entitled to receive for their journeys to and from the court and for the days spent by them in attendance at the court to give evidence in cases coming under Rule 1, travelling allowances at the rates prescribed by the Civil Service Regulations for the time being in force. The court shall not, however, make any payment to official witnesses in such cases, but shall grant them certificates setting forth that they appeared to give evidence of what had come to their knowledge, or of matters with which they had to deal, in their official capacity, the date on which they appeared and the period for which they are detained, so as to enable them to draw travelling allowance and batta under Article 1133 of the Civil Service Regulations.

Exceptions.—(*a*) In cases in which a public servant has to give evidence at a court situate not more than five miles from his headquarters, the court is authorized, where it considers it necessary, to pay him the actual travelling expenses incurred.

(*b*) In cases in which the salary of the public servant summoned does not exceed Rs. 10 per mensem, the court itself is authorized to pay his expenses.

(2) When a public servant appears in his official capacity as a witness in other cases (*e. g.*, in cases in which section 24473) or 257, Code of Criminal Procedure is applied, the party at whose instance he is summoned shall prepay into court the travelling and halting allowances admissible to him under the Civil Service Regulations. The amount so prepaid shall be credited to Government, but the court shall give the witness a certificate containing the particulars specified in Rule (1) *supra* so as to enable him to draw the travelling and halting allowances admissible under Article 1133 of the Civil Service Regulations. When a public servant appears to give evidence in any case as a private person, travelling allowance and batta may be paid to him in the ordinary manner, but the court shall send an advice of all such payments made to him to the head of the office in which he is employed. In this advice the amount paid as batta and the period during which the attendance of the witness in court was necessary shall be stated.

(3) When an official of the Court of Wards appears in his official capacity as a witness in a case connected with an estate under the superintendence of the Court of Wards, the Judge or Magistrate before whom the trial takes place will furnish such official with a certificate showing the days on which he attended to give evidence and the amount of batta and travelling allowance paid to him on that account.

(4) When a public servant whose emoluments are governed by the Army Regulations, India, appears in any case under Rule 1 to give evidence in his official capacity, he shall be paid the travelling allowance and batta admissible under these rules, and shall be furnished with a certificate showing in detail the amount paid. If the amount paid is less than the amount admissible under the military rules to which he is subject, the difference will be paid to him by the military authorities on production of the certificate.

No. J. 2571-2620—CTS. 136-17-2, DATED 12TH JANUARY 1918.

3. Medical subordinates in local fund or municipal employ (including Government servants lent to and paid by local bodies) when attending court to give evidence in their public capacity shall be paid the same rates of travelling allowance and batta as would be admissible to Government servants of similar grades under the Civil Service Regulations.

4. Non-official witnesses are entitled to travelling allowance under two different scales as shown below according as they are (1) Europeans or Eurasians, or (2) Indians. Persons falling under either of these descriptions are, for the purposes of these rules, divided into three classes; and the Judge or Magistrate before whom they are required to appear either as complainants or as witnesses shall be careful to fix the class with due regard to the station in life which they occupy—

	Europeans and Eurasians			Indians		
	First class	Second class	Third class	First clas	Second class	Third class
Travelling allowance—						
By rail ...	First-class fare.	Second-class fare.	Third-class fare.	First-class fare.	Second-class fare.	Third-class fare.
*By a public motor service.	Do.	Do.	Do.	Do.	Do.	Do.
By road, otherwise than by public motor service ...	As. 8 per mile.	As. 4 per mile.	As. 2 per mile.	As. 6 per mile.	As. 2 per mile.	3 pies per mile.
By sea or canal ...	Actual expenses of passage.			Actual expenses of passage.		
Batta not to exceed ...	Rs. 3 per diem	Re. 1 per diem.	As. 8 per diem.	Re. 1 per diem.	As. 8 per diem.	As. 4 per diem.

*If there are only two classes, the first and second class witnesses will be paid the higher class fare and the third class the lower class fare.

5. In cases within Rule 1, the Commissioner of Police may make reasonable advances to witnesses resident in the City of Madras who are summoned by a criminal court in the mofussil and who require the advances to enable them to reach the court. The court issuing the summons, on being advised by the Commissioner of Police of the advances made, will refund the amount to him.

6. The distance for which mileage and the number of days for which batta should be allowed for the journey to and from the station at which the court is held and for attendance at court shall be determined by the Judge or Magistrate ordering the payment in each case.

7. All bills for travelling allowance and batta to complainants and witnesses attending before the courts of Magistrates of the second and the third classes shall be scrutinized by the Magistrate of the division in which such courts are situated before the charges included in them are finally passed.

8. Whenever a Magistrate dismisses a case as frivolous or vexatious under section 250 of the Code of Criminal Procedure, no travelling allowance or batta shall be granted to the complainant in such case.

9. The criminal courts are authorized to pay the necessary and actual expenses of carriage to a witness travelling by road, in the case of persons whose sickness, age, position or habits of life render it impossible for them to walk, provided the expense incurred under this rule shall in no case exceed As. 8 a mile.

10. To Indians and Europeans graded in the first class of non-officials, there may also be allowed the actual cost of carriage-hire to and from court on the days of attendance at court.

11. Subjects of the French Government who are in the official employ of that Government in the French Dependencies in India appearing as witnesses before criminal courts in the Madras Presidency may, if such claim be made, be paid their expenses at the rates to which they are entitled under the Regulations of their own Government in like case. Magistrates are required to refer any doubtful claim for scrutiny to the Collector of South Arcot who is the Special Political Agent for the French Dependencies in India.

12. Officials of the Government of Ceylon appearing as witnesses before criminal courts in the Madras Presidency may, if such claim be made, be paid their expenses at the rates to which they are entitled under the Regulations of their own Government in like case. The claim should be submitted through the Head of the Department to which the official belongs.

13. Officials of the Mysore Durbar appearing as witnesses in their official capacity before courts in the Madras Presidency may, if such claim be made, be paid their expenses at the rates at which they would be entitled under the Regulations of their own Government. This arrangement may be extended by the Government to other Native States which have agreed to pay the expenses of British official witnesses from the Madras Presidency appearing in their courts on the same scale as that admissible to them under the Regulations of the Madras Government.